

## Rymer, Edwina

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**From:** Dorsey, Nancy  
**Sent:** Wednesday, February 20, 2013 8:35 AM  
**To:** Lori Wrotenbery  
**Cc:** Ron Dunkin; Charles Lord; Tim Baker; Dellinger, Philip; Graves, Brian; Leissner, Ray  
**Subject:** RE: Oklahoma Oil and Gas Program Permitting

Hi Lori,

Thank you for the clarification, I think your agency is in line with most with regard to hydraulic fracturing being covered under different sets of rules. The topic is certainly still under a lot of discussion. The crux will probably come down to whether or not the companies report if diesel is to be used in their upcoming operations, and by corollary how the appropriate agency handles that. With reference to the statutes, which part of your agency does regulate hydraulic fracturing using diesel?

Regards,  
Nancy

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**From:** Lori Wrotenbery [mailto:L.Wrotenbery@occemail.com]  
**Sent:** Tuesday, February 19, 2013 5:58 PM  
**To:** Dorsey, Nancy  
**Cc:** Ron Dunkin; Charles Lord; Tim Baker  
**Subject:** RE: Oklahoma Oil and Gas Program Permitting

Hi Nancy,

We have not sent a letter to Region VI, but I have commented in various GWPC meetings about how we might address the use of diesel in hydraulic fracturing operations in the future. The guidance being developed by EPA does not technically apply to states with primacy, but I have noted that when EPA issues its guidance, we will not be surprised if Region VI explores with us how our regulations for hydraulic fracturing address the different program elements outlined in the guidance.

Please note that the OCC rules that apply to injection wells do not apply to hydraulic fracturing operations. We regulate hydraulic fracturing operations under a different set of rules. The question for possible future discussion would be whether we need to make any adjustments in the rules or procedures for hydraulic fracturing operations to satisfy the requirements of SDWA § 1425. I do not anticipate that we would use our current rules and procedures for injection wells to regulate hydraulic fracturing operations.

Hope this explanation helps.

Lori

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**From:** Dorsey, Nancy [mailto:Dorsey.Nancy@epa.gov]  
**Sent:** Tuesday, February 19, 2013 2:43 PM  
**To:** Tim Baker  
**Cc:** Ron Dunkin; Lori Wrotenbery; Charles Lord  
**Subject:** RE: Oklahoma Oil and Gas Program Permitting

Thanks Tim,

I knew Charles was going to be out, which is the main reason I also copied you. There was a follow-up clarification of sorts, saying the gentleman didn't quite get the comment correct, but I figured going to the source was the wisest course of action.

Thanks again,  
Nancy

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**From:** Tim Baker [<mailto:T.Baker@occeemail.com>]  
**Sent:** Tuesday, February 19, 2013 1:49 PM  
**To:** Dorsey, Nancy  
**Cc:** Ron Dunkin; Lori Wrotenbery; Charles Lord  
**Subject:** RE: Oklahoma Oil and Gas Program Permitting

I do not recall any letter to Region VI on the use of diesel for fracture treatment. It is our understanding that the use of diesel for fracture treatment is not exempt from the UIC program and therefore anyone that desires to use diesel as their fracture treatment fluid would be required to file under the UIC program. This has been our response to anyone who has asked. In addition we have had no requests to use diesel.  
If you have any questions, let me know. Charles is out today.

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**From:** Dorsey, Nancy [<mailto:Dorsey.Nancy@epa.gov>]  
**Sent:** Tuesday, February 19, 2013 12:27 PM  
**To:** Charles Lord; Tim Baker  
**Subject:** FW: Oklahoma Oil and Gas Program Permitting

Hi Charles and Tim,

I do not recall anything about a letter from you all on diesel hydrofracturing permits. Did Kyle (whoever he or she is) misunderstand Lorie?

Thanks,  
Nancy

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**From:** Bierschenk, Arnold  
**Sent:** Tuesday, February 19, 2013 11:57 AM  
**To:** Carey, Robert Kyle; Graves, Brian  
**Subject:** RE: Oklahoma Oil and Gas Program Permitting

Well, you won't hear much from me because this is the first I have heard of it. Brian forwarded this to the Oklahoma program manager who is not currently at her desk. If she provides any information, I will bring it up.

Arnold

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**From:** Carey, Robert Kyle  
**Sent:** Tuesday, February 19, 2013 11:27 AM  
**To:** Graves, Brian; Bierschenk, Arnold  
**Subject:** Oklahoma Oil and Gas Program Permitting

Hi Brian and Arnold,

Today on the Implementation call we would like to discuss where states have taken action in respect to permitting diesel fuels HF under the Class II program. I have heard all of this third hand so forgive me if I mischaracterize what OK has put forward. Laurie Rotenberry has stated that OK's rule updates would allow it permit DFHF while meeting the Class II

requirements and has sent a letter to R6 EPA giving more detail. It would be good for the group to hear your thoughts on this.

Thank you

- Kyle

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